United Nations A/CONF.199/PC/3

General Assembly

Distr.: General
22 March 2002

Original: English

Commission on Sustainable Development acting as the preparatory committee for the World Summit on Sustainable Development
Third session
25 March-5 April 2002
Item 2 of the provisional agenda*
Consideration of the Chairman's paper transmitted from the second session of the Commission acting as the preparatory committee, together with other relevant inputs to the preparatory process

International environmental governance

Note by the Secretary-General

The Secretary-General has the honour to transmit to the Commission on Sustainable Development acting as the preparatory committee for the World Summit on Sustainable Development decision SS.VII/1 of the Governing Council/Global Ministerial Environment Forum of the United Nations Environment Programme on international environmental governance (see annex), the appendix to which contains the report of the Open-ended Intergovernmental Group of Ministers or their Representatives on International Environmental Governance.

* A/CONF.199/PC/1.

02-30057 (E) 250302

Annex

UNEP Governing Council decision SS.VII/1

SS.VII/1. International environmental governance

The Governing Council,

Recalling the Malmö Ministerial Declaration[1] of 31 May 2000, in which it was stated that the 2002 conference should review the requirements for a greatly strengthened institutional structure for international environmental governance, based on an assessment of future needs for an institutional architecture that has the capacity to effectively address wide-ranging environmental threats in a globalizing world and that in this regard, the role of the United Nations Environment Programme should be strengthened and its financial base broadened and made more predictable,

Recalling General Assembly resolution 53/242 of 28 July 1999, on the report of the Secretary-General on environment and human settlements in which the General Assembly established the Global Ministerial Environment Forum, and supported proposals, inter alia, for the establishment for an environmental management group for the purpose of enhancing inter-agency coordination, and for enhancing linkages and coordination within and among environmental and environment related conventions,

Further recalling its decision 21/21 of 9 February 2001 on international environmental governance in which it established an open-ended intergovernmental group of ministers or their representatives, with the Executive Director as an ex-officio member, to undertake a comprehensive policy-oriented assessment of existing institutional weaknesses as well as future needs for strengthened international environmental governance, including the financing of the United Nations Environment Programme, with a view to presenting a report containing analysis and options to the next session of the Governing Council/Global Ministerial Environment Forum and to undertake an in depth discussion of the report with a view to providing its input on future requirement of international environmental governance,

Expressing its appreciation to the Executive Director for the excellent support provided to the Intergovernmental Group of Ministers in its deliberation of international environmental governance, which enabled it to conduct its work in an open, transparent and inclusive manner,

1. Adopts the report of the Open-ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance[2] in the appendix to the present decision;

2. Invites the President of the Governing Council to transmit the present decision and the report of the Open-ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance to the Commission on Sustainable Development acting as the preparatory committee for the World Summit on Sustainable Development[3] at its third session;

3. Requests the Executive Director to present this decision and the report of the Open-ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance to the Preparatory Committee for the World Summit on Sustainable Development at its third session;

---

1 Governing Council decision SS.VI/1, annex

2 UNEP/GCSS.VII/L.4/Add.1.

3 General Assembly resolution 55/199 of 20 December 2000.

4. Decides to review the implementation of the recommendations contained in the report of the Open-ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance at its twenty-second session, subject to the outcome of the World Summit on Sustainable Development;

5. Also decides to consider further measures for the strengthening of the United Nations Environment Programme in light of the outcome of the World Summit on Sustainable Development at its twenty-second session.

6th meeting
15 February 2002

Appendix

REPORT OF THE OPEN-ENDED INTERGOVERNMENTAL GROUP OF MINISTERS OR THEIR REPRESENTATIVES ON INTERNATIONAL ENVIRONMENTAL GOVERNANCE

I. BACKGROUND

1. The current debate on the requirements for a more coherent and more effective international environmental governance regime is a continuation of international efforts over the past decade to develop institutional responses to underpin international action to confront the increase of environmental threats faced by all countries. The growing body of scientific evidence as to the seriousness of environmental degradation has led to a proliferation of legal and institutional arrangements for international cooperation aimed at addressing specific environmental problems. As a result, the international community has become increasingly concerned with not only establishing a strengthened framework for coordinated international action but also ensuring that the limited resources available are deployed in the best possible manner for optimal effect.

2. The context within which international environmental policy formulation takes place has also evolved. Increasingly, environmental objectives are being pursued in the broader context of sustainable development as is evident in the work programmes of the recent mechanisms that have been established. Agenda 21 reaffirmed the role of the United Nations Environment Programme (UNEP) as the principal body within the United Nations system in the field of the environment but also added that it should take into account the development aspects of environmental questions.

3. A further step in the evolution of the current system was the establishment by the Secretary-General of the United Nations of a Task Force on Environment and Human Settlements as part of the overall reform of the United Nations. In establishing the Task Force, the Secretary-General noted the formidable challenge facing the international community in attaining "a sustainable equilibrium between economic growth, poverty reduction, social equity and the protection of the Earth's resources, common and life support systems", thus reaffirming the sustainable development context. The Secretary-General also concluded that experience had demonstrated the need for a more systemic approach to policies and programmes through mainstreaming the United Nations commitment to sustainable development.

4. The General Assembly adopted resolution 53/242 of 28 July 1999 on the Secretary-General's Task Force recommendations and took action on a number of important institutional measures including the creation of the Environmental Management Group, the creation of the Global Ministerial Environment Forum and on support for and enhancing linkages among environmental and environment-related conventions.

5. At its first meeting in Malmö in May 2000, the Global Ministerial Environment Forum adopted the Malmö Declaration, which stated that the "2002 conference should review the requirements for a greatly strengthened institutional structure for international environmental governance based on an assessment of future needs for an institutional architecture that has the capacity to effectively address wide-ranging environmental threats in a globalizing world. The role of the United Nations Environment Programme in this regard should be strengthened and its financial base broadened and made more predictable".

II. THE UNEP GOVERNING COUNCIL INTERNATIONAL ENVIRONMENTAL GOVERNANCE INITIATIVE

6. Against the backdrop of the preparations for the World Summit on Sustainable Development, the UNEP Governing Council at its twenty-first session adopted decision 21/21 on international environmental governance, which established the Open-ended Intergovernmental Group of Ministers or Their Representatives to undertake a comprehensive policy-oriented assessment of existing institutional weaknesses as well as future needs and options for strengthened international environmental governance, including the financing of UNEP, with a view to presenting a report containing analysis and options to the next session of the Governing Council/Global Ministerial Environment Forum, which is being held in February 2002. In that same decision, the Council also decided that the next Governing Council/Global Ministerial Environment Forum should undertake an in-depth discussion of that report with a view to providing input on future requirements of international environmental governance in the broader context of multilateral efforts for sustainable development to the preparatory body for the World Summit on Sustainable Development as a contribution to the Summit.

7. The work of the Intergovernmental Group of Ministers is intended to build on recent advances, including the report of the United Nations Task Force on Environment and Human Settlements and General Assembly resolution 53/242 which supported the establishment of the Global Ministerial Environment Forum and the Environmental Management Group and made other important recommendations on strengthening the current environmental governance regime.

8. Six meetings of the Intergovernmental Group of Ministers have taken place: in New York, on 18 April 2001, in Bonn, on 17 July 2001, in Algiers, on 9 and 10 September 2001, in Montreal, on 30 November to 1 December 2001, in New York, on 25 January 2002 and in Cartagena, on 12 February 2002. All meetings were well attended and witnessed a rich and extensive exchange of views between delegations. The second meeting benefited from having at its disposal the outcome of intersessional consultations between non-governmental and civil society organizations, agencies and experts. The third meeting was presented with suggestions of the President of the Governing Council in the form of "building blocks", which were discussed in two working groups. Working Group I addressed the role and the structure of the Global Ministerial Environment Forum and strengthening the role, authority and financial situation of UNEP. Working Group II addressed improved coordination and coherence among multilateral environmental agreements and enhanced coordination across the United Nations system – the role of the Environment Management Group. The meetings also benefited from the valuable inputs of the UNEP Committee of Permanent Representatives and generated a number of ideas that provide a sense of what the expectations are in this process. These ideas were summarized by the chair as follows:

(a) The international environmental governance process encompasses all international environmental efforts and arrangements within the United Nations system, including at the regional level, and is not restricted to UNEP;

(b) The process of strengthening international environmental governance should be evolutionary in nature and be based on implementing General Assembly resolution 53/242. A prudent approach to institutional change is required, with preference given to making better use of existing structures;

(c) The meetings on international environmental governance should lead to comprehensive inputs into the preparations for the World Summit on Sustainable Development, which should be presented for consideration by it. Decision 10/1 of the Commission on Sustainable Development, which invited the Governing Council to submit its progress report and results to the Preparatory Committee at its second session and the final results to the third session so that they can be fully considered in the preparatory process, clearly establishes this link;

(d) Some issues being considered go beyond the mandate of environment ministries alone, and other branches of Government should be involved in order to enhance national level coordination and to bring environmental considerations into the mainstream of economic and social decision-making at all levels. In this regard, international environmental governance should be viewed within the broader context of sustainable development;

(e) The increasing complexity and impact of trends in environmental degradation require an enhanced capacity for scientific assessment and monitoring and for provision of early warnings to Governments;

(f) The design and implementation of environmental policy at all levels requires a clear link to the sustainable development context as well as greater involvement and engagement of non-governmental organizations, and civil society and the private sector, allowing them a meaningful role in intergovernmental policy-making, and also requires strengthened national frameworks of governance;

(g) The international environmental governance process should take into account the needs and constraints of developing countries on the basis of common but differentiated responsibility;

(h) An essential complement to international cooperative arrangements is the requirement to strengthen the capacity of developing countries to participate actively in policy formulation and implementation. In this regard there is a need to emphasize and support capacity-building and technology transfer, and the role of UNEP in this regard was emphasized;

(i) As the principal United Nations body in the field of the environment, UNEP should be strengthened. This requires a clear solution to the issue of adequate, stable and predictable financing;

(j) A variety of proposals were considered, including the proposal to establish UNEP as a United Nations specialized agency, which met with differing views;

(k) The Global Ministerial Environment Forum should be placed as the cornerstone of the international institutional structure of international environmental governance;

(l) In addition, UNEP headquarters in Nairobi must be maintained and strengthened as a centre for international meetings on the environment;

(m) The proliferation of institutional arrangements, meetings and agendas, while having the benefit of specialization, may weaken policy coherence and synergy and put further strain on limited resources;

(n) The clustering approach to multilateral environmental agreements holds some promise, and issues relating to the location of secretariats, meeting agendas and also programmatic cooperation between such bodies and with UNEP should be addressed.

9. The conclusions and recommendations emanating from the international environmental governance process and agreed by consensus are contained in the following chapter.

III. RECOMMENDATIONS OF THE INTERGOVERNMENTAL GROUP OF MINISTERS TO THE GOVERNING COUNCIL/GLOBAL MINISTERIAL ENVIRONMENT FORUM

A. Improved coherence in international environmental policy-making - the role and structure of the Governing Council/Global Ministerial Environment Forum

10. The Global Ministerial Environment Forum is constituted by the UNEP Governing Council as envisaged in General Assembly resolution 53/242, which states, in paragraph 6, that the Governing Council would constitute "the forum in the years that it meets in regular session and, in alternate years, with the forum taking the form of a special session of the Governing Council".

11. The international environmental governance process has highlighted the need for a high-level environment policy forum as one of the cornerstones of an effective system of international environmental governance. To this end, the Governing Council/Global Ministerial Environment Forum should be utilized more effectively both in promoting international cooperation in the field of the environment, in providing broad policy advice and guidance, identifying global environmental priorities, and making recommendations, in accordance with paragraphs 2(a) and 2(b) of General Assembly resolution 2997 (XXVII) of 15 December 1972. Such an approach should be pursued with full respect for the independent legal status and governance structures of other entities, and would be consistent with the mandate provided to the UNEP Governing Council in General Assembly resolution 2997 (XXVII), which states, in paragraphs 2 (b) and 2 (c), that it should provide general policy guidance for the direction and coordination of environmental programmes within the United Nations system, keep their implementation under review and assess their effectiveness. This approach could be achieved through a series of measures such as those proposed below:

(a) Universal participation of Members States of the United Nations and members of its specialized agencies in the work of the Governing Council/Global Ministerial Environment Forum should be ensured. The question of establishing universal membership for Governing Council/Global Ministerial Environment Forum is an important but complex issue that should be considered in the broader context of the preparatory process of the World Summit on Sustainable Development and be reviewed at the twenty-second session of the Governing Council/Global Ministerial Environment Forum based on the outcome of the Summit;

(b) The Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme reaffirmed the continuing relevance of the mandate of UNEP deriving from General Assembly resolution 2997 (XXVII) and as further elaborated by Agenda 21. The core elements of the focused mandate of UNEP contained in the Nairobi Declaration highlighted, inter alia, the role of UNEP in the analysis of the state of the global environment, provision of policy advice and catalysing and promoting international cooperation; in further developing its international environmental law aimed at sustainable development, including the development of coherent interlinkages among existing international environmental conventions; in advancing the implementation of agreed international norms and policies and strengthening its role in the coordination of environmental activities in the United Nations system in the field of the environment;

(c) To play its role as the high-level environmental policy forum in the United Nations system, and in accordance with General Assembly resolution 2997 (XXVII), the Governing Council/Global Ministerial Environment Forum will:

(i) Keep under review the world environment situation and develop policy responses in order to ensure that emerging environmental problems of wide international significance receive appropriate and adequate consideration based on sound science;

(ii) Provide general policy guidance for the direction and coordination of environmental programmes and make cross-cutting recommendations, in accordance with paragraphs 2 (a) and 2 (b) of General Assembly resolution 2997 (XXVII), to other bodies while respecting the independent legal status and autonomous governance structures of such entities;

(iii) Promote international cooperation in the field of the environment and recommend, as appropriate, policies to this end;

(iv) Strengthen further the coordination and institutional requirements for international environmental policy in view of the outcome of the World Summit on Sustainable Development and in light of the Malmö Declaration;

(d) The Governing Council/Global Ministerial Environment Forum should identify ways and means of improving and strengthening its interrelationship with autonomous decision-making bodies, such as conferences of the parties to multilateral environmental agreements;

(e) The Governing Council/Global Ministerial Environment Forum should promote the meaningful participation of representatives of major groups and non-governmental organizations including the private sector, giving them clear channels for providing Governments with their views, to inform intergovernmental decision-making bodies, within the established rules and modalities of the United Nations system A particular effort to enable civil society organizations from developing countries to participate should be a priority. In line with Governing Council decision 21/19 of 9 February 2001, the relationship between UNEP and its governance structures, as well as among civil society, the private sector and other major groups, should be developed;

(f) Consideration should be given to having the Governing Council/Global Ministerial Environment Forum meet every other year at UNEP headquarters in Nairobi with meetings in alternate years, if possible, at another United Nations region. This would enhance its interaction with other policy forums in the economic and social fields and assist in the objectives of sustainable development mainstreaming. In addition, the possibility of having back-to-back meetings between the Governing Council/Global Ministerial Environment Forum and multilateral environmental agreements could be explored, with due regard to their legal status and governance structures;

(g) The Governing Council/Global Ministerial Environment Forum should institute a regular dialogue, to address the apparent disparity between policy and funding, with multilateral financial institutions, including the Global Environment Facility (GEF). In this regard the Governing Council/Global Ministerial Environment Forum should play a stronger environmental policy advisory role and strengthen UNEP's efforts to enhance its relationship with GEF through the Action Plan on Complementarity between GEF activities and its programme of work, in line with Governing Council decisions 20/7 of 5 February 1999 and 21/25 of 9 February 2001. Better coordination of decision-making on international environmental policy with decision-making on financing should benefit the funding of environmental aspects of sustainable development;

(h) The Governing Council/Global Ministerial Environment Forum should enable ministers to concentrate on policy issues and have the opportunity to promote international cooperation, including making cross-cutting recommendations in the field of the environment, in accordance with paragraphs 2 (a) and 2 (b) of General Assembly resolution 2997 (XXVII), take policy decisions, identify priorities on matters within its area of competence, and provide broad direction and advice, as well as oversight of the programme of work and budget of UNEP. The Governing Council/Global Ministerial Environment Forum should also regularly review reports on the follow-up of its previous decisions. The agenda could be grouped in segments as follows:

(i) The Governing Council/Global Ministerial Environment Forum should take into account emerging environmental trends and should consider issues related to environmental assessment and monitoring, monitoring of its previous decisions, early warning and emerging issues, based on a strengthened scientific capacity of UNEP. Further consideration should be given to strengthening UNEP's scientific base by improving its ability to monitor and assess global environmental change including, inter alia, through the establishment of an intergovernmental panel on global environmental change. The effective participation of developing countries in the work of the panel should be ensured, and the mandate, modalities and composition of any mechanism are to be decided by the Governing Council/Global Ministerial Environment Forum;

(ii) The Governing Council/Global Ministerial Environment Forum could address environmental aspects of one or two selected sectoral issues on an annual basis (such as chemicals, water, oceans), as well as the environmental contribution to major development challenges. In this context relevant sectoral national ministries could be invited to interact with environment ministers to assist in a decision-making process that would aim at bringing environmental considerations into the mainstream of policy discussions and promote sustainable development. Progress in the follow-up of such work should be monitored and reported to the Governing Council/Global Ministerial Environment Forum;

(iii) Taking advantage of its high-level and cross-cutting environmental perspective and its coordination role on environmental matters in the United Nations system, the Governing Council/Global Ministerial Environment Forum could engage in periodic stocktaking and, inter alia, review synergies and linkages undertaken between multilateral environmental agreements, as well as review reports of the Environment Management Group and progress in inter-agency collaboration. The Governing Council/Global Ministerial Environment Forum would give policy guidance and advice in the field of the environment by making recommendations, in accordance with paragraphs 2 (a) and 2 (b) of General Assembly resolution 2997 (XXVII). In this context, UNEP should carry out further scientific analysis in cooperation with secretariats of conventions and their subsidiary bodies and other relevant international scientific bodies, in order to identify possible activities with potential multiple benefits and to bring them to the attention of conferences of the parties, in conformity with General Assembly resolution 54/217 of 22 December 1999. Officials of United Nations agencies and heads of multilateral environmental agreement secretariats should be invited to participate and interact with ministers at meetings of the Governing Council/Global Ministerial Environment Forum;

(iv) The Governing Council/Global Ministerial Environment Forum agenda would also include a separate segment providing for the negotiation and adoption of the biennial programme of work and budget of UNEP and review of its implementation. The UNEP

Committee of Permanent Representatives, as a subsidiary body, would continue to play its mandated role in monitoring the implementation of Governing Council/Global Ministerial Environment Forum decisions as well as preparation of its sessions, which would take place in an open and transparent manner, so as to facilitate the participation in substantive preparations of Governments not represented in Nairobi.

B. Strengthening the role and financial situation of UNEP

12. The Nairobi Declaration of 1997, which was endorsed by the United Nations General Assembly, established UNEP as the leading global environmental authority that sets the global environmental agenda, promotes the coherent implementation of the environmental dimension of sustainable development and serves as an authoritative advocate for the global environment. While UNEP is the centrepiece of the international community's efforts to safeguard the environment, its role continues to fall short of the expectations expressed in the Nairobi Declaration primarily because UNEP remains hampered by insufficient and unpredictable resources.

13. Given the major environmental challenges of the twenty-first century, one way to address discrepancies between commitments and action is to improve the financial situation of UNEP.

14. While commendable efforts have been made by the United Nations to fund some of the administrative costs of UNEP through its regular budget, this funding has been declining in terms of percentage of the total UNEP resources over the past years. Hence it is recommended that, in accordance with General Assembly resolution 2997 (XXVII), consideration be given by the United Nations General Assembly to making available from its regular budget the amount which is necessary to cover all administrative and management costs of UNEP. There is also an urgent need to improve the financial situation of UNEP's Environment Fund.

15. Several steps should be taken to address the overall financial situation of UNEP. These include:

(a) More predictable funding from all Member States of the United Nations and members of its specialized agencies;

(b) More efficient and effective use of available resources, including the possibility of utilizing external management review mechanisms, taking into account the recommendations of prior management reviews of UNEP;

(c) Strong focus on agreed priorities of UNEP and ongoing review of previous priorities;

(d) Greater mobilization of resources from the private sector and other major groups in accordance with applicable United Nations rules and procedures.

16. All Member States of the United Nations and members of its specialized agencies, taking into account their economic and social circumstances should contribute financially to UNEP. The financial contributions should be made to the Environment Fund to finance the activities of UNEP to enable it, inter alia, to implement the provisions and achieve the objectives of the Fund set forth in General Assembly resolution 2997 (XXVII). Resources mobilized from major groups should also finance activities for the implementation of the programme of work of the Environment Fund.

17. To broaden the base of contributions to, and to enhance predictability in the voluntary financing of the Environment Fund, there should be a voluntary indicative scale of contributions, to be developed specifically for UNEP's Environment Fund, taking into account, inter alia, the United Nations scale of assessment as well as the following:

(a) A minimum indicative rate of 0.001 per cent;

(b) A maximum indicative rate of 22 per cent;

(c) A maximum indicative rate for the least developed countries of 0.01 per cent;

(d) Economic and social circumstances of the Member States, in particular those of developing countries and countries with economies in transition;

(e) Provisions to allow for any Member State, in a position to do so, to increase its level of contributions over and above its current level.

18. All contributions to the Fund remain voluntary and each State reserves the right to determine whether or not it wishes to contribute voluntarily to the Fund. However, all Member States, taking into account their economic and social circumstances, will be encouraged to contribute to the Environment Fund either on the basis of the indicative scale of contributions, or on the basis of any of the following:

(a) Biennial pledges;

(b) United Nations scale of assessment;

(c) Historical level of contributions;

(d) Any other basis identified by a Member State.

19. The Executive Director of UNEP will notify all Member States, in a timely manner, of the indicative scale of contributions he intends to propose for the biennial budget. All Member States are urged to inform the Executive Director, in a timely manner, whether or not they will use the proposed indicative scale of contributions. The biennial budget will be submitted for consideration of the Governing Council/Global Ministerial Environment Forum, prior to the commencement of the financial period that it covers. It will also be circulated to all Member States at least six weeks before the meeting of the Governing Council/Global Ministerial Environment Forum at which it will be considered.

20. The Executive Director will notify all Member States that choose the indicative scale of contributions by 15 October of the preceding calendar year, of the amount, in United States currency, of its indicative scale of contributions based on contributions for each year of the biennium. Any Member State which decides not to use the indicative scale of contributions will notify the Executive Director by this date of the basis it intends to use for its contributions, taking into account paragraph 18 above. In either case, each Member State will, prior to 1 January of each year, inform the Executive Director of UNEP of the contribution it intends to make that year and of the projected timing of that contribution. Contributions should be made by 1 January of each calendar year, or as soon as possible thereafter, recognizing that there are differences in the budget cycles of Member States. All contributions should be paid in convertible currencies into a bank account identified in the notification of the Executive Director.

21. In addition to the contributions identified in paragraph 20 above, the resources available to UNEP for implementation of its programme of work will also consist of additional voluntary contributions which may be made by Member States or by major groups; other voluntary contributions, including contributions to support the participation of the representatives of developing countries, in particular the least developed and the small island developing States amongst them, as well as representatives from countries with economies in transition, in the Governing Council/Global Ministerial Environment Forum; the uncommitted balance of appropriations from previous financial periods; and miscellaneous income.

22. All Member States are encouraged to make prompt payment of their contributions to the Environment Fund, and a balance should be sought between earmarked and non-earmarked contributions.

23. The Executive Director of UNEP will submit to the Governing Council/Global Ministerial Environment Forum at its special session in the year 2004, a report on the implementation of paragraphs 15 to 22 above. The Governing Council/Global Ministerial Environment Forum will review the effectiveness of the system and take a decision, as appropriate.

24. Progress in implementing the international environmental agenda and creating a stronger link between environmental trends and policy dialogue at the Governing Council/Global Ministerial Environment Forum will be increasingly dependent on the availability of information required for decision-making, and in

particular on providing developing countries with the means of implementation. In this regard, higher priority should be given to developing independent and authoritative scientific assessment and monitoring capacity for emerging issues. UNEP is well situated to build on its current strengths in these areas, and could also build a greater capacity to assist developing countries with their needs and requirements in such areas. An enhanced capacity would also require an enhanced financial base. UNEP should continue efforts to attract additional resources and support from partnerships with civil society and the private sector.

25. The UNEP/GEF Action Plan on Complementarity adopted by the UNEP Governing Council at its twentieth session and the GEF Council at its thirteenth meeting identified the establishment of a UNEP/GEF strategic partnership as an important modality for achieving complementarity. Recently, an initial phase of the UNEP/GEF strategic partnership, in the areas of environmental assessment, global environmental knowledge management and global environmental outreach including the mobilization of the scientific community, has been successfully completed. Strategic partnerships with the World Bank and the United Nations Development Programme (UNDP) are also being undertaken. GEF could fund mutually agreed activities of UNEP which are of relevance to the global environment and the GEF. The existing partnership could focus on the following areas: assessment; scientific information, best practice, and policy analysis; capacity-building and training for the environment; and, country-level coordination for sustainable development. The partnership between UNEP and GEF could be further pursued and should also facilitate the mobilization of additional multilateral and bilateral financial resources for targeted activities consistent with the GEF mandate and global environmental priorities identified by the Governing Council/Global Ministerial Environment Forum.

C. Improved coordination among and effectiveness of multilateral environmental agreements

26. The negative impact of the increasing burdens on Governments' ability to participate meaningfully in the proliferating meetings and agendas of multilateral environmental agreements has been underscored as a major constraint to effective international policy-making. While the benefits of being able to concentrate on issue-specific areas are recognized, the perception of a growing potential for overlap in the international environmental agenda makes it difficult to benefit from potential synergies and linkages between the various agreements. In this regard the authority and the autonomy of the governing bodies of the conference of the parties and the accountability of their secretariat to their respective governing bodies should be respected.

27. One approach that has emerged from the debate is that of enhancing the synergies and linkages between multilateral environmental agreements with comparable areas of focus or of a regional character with due regard to their respective mandates. In particular, there is support for enhancing collaboration among multilateral environmental agreement secretariats in specific areas where common issues arise, such as current work among the chemicals and waste multilateral environmental agreement secretariats and including the interim secretariats, as well as biological diversity-related conventions, where efforts are underway to improve national reporting mechanisms of and among these conventions. The initiation of pilot projects should be further pursued. In this regard the study on chemicals- and wastes-related conventions, as well as the joint liaison group that has been convened by the secretariats of the Rio conventions, including the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa as approved by their governing bodies, are steps in the right direction. More consideration should be given to the proposed measures suggested by the study. Such synergies and linkages must be promoted in close consultation and with the full agreement of the Conference of the Parties. UNEP should continue, in close cooperation with the secretariats of the multilateral environmental agreements, to enhance such synergies and linkages including on issues related to scientific assessments on matters of common concern.

28. A periodic review of the effectiveness of multilateral environmental agreements is critical to their success. As an important factor in their effectiveness compliance factors and mechanisms should be supported in conformity with the different regime under each multilateral environmental agreement and including designing multilateral environmental agreements with realistic and achievable goals which could be implemented. States should have regard for the advisory and non-binding UNEP guidelines on compliance with and enforcement of multilateral environmental agreements, once approved by the Governing Council/Global Ministerial Environment Forum. Capacity-building and, for some multilateral environmental agreements, technology transfer and the provision of financial resources to developing

countries to facilitate compliance, are of great importance for supporting the effectiveness of multilateral environmental agreements.

29. While taking fully into account the autonomous decision-making authority of the conference of the parties, considerable benefits could accrue from a more coordinated approach to areas such as scheduling and periodicity of meetings of the conferences of the parties; reporting; scientific assessment on matters of common concern, capacity-building, transfer of technology; and enhancing the capacities of developing countries before and after the entry into force of legal agreements to implement and review progress on a regular basis by all parties concerned. Biennial meetings as well as shorter duration of conference of the parties should be promoted as well as the need to consider, as far as possible and practical, back-to-back or parallel conference of the parties meetings. The merit of convening meetings at the United Nations headquarters or in other locations will be considered on a case-by-case basis by the conference of the parties involved. In the future, careful consideration should be given to the effectiveness and resource efficiency of establishing additional subsidiary institutions of the conference of the parties, and the co-location of future multilateral environmental agreement secretariats should be encouraged, and where possible in developing countries, with a view of enhancing collaboration and effectiveness. Enhanced coordination at the convention level will also require improved coordination of positions at the national level concerning multilateral environmental agreements. Priority should be given to synergies at the country level, including the provision of means of implementation.

30. Coordination could be fostered by having the Governing Council/Global Ministerial Environment Forum review the progress made by the conference of the parties of multilateral environmental agreements, with due regard to their respective mandates, in developing synergies in areas where common issues arise.

D. Capacity-building, technology transfer and country-level coordination for the environment pillar of sustainable development

31. Environmental governance should be considered from a multi-level approach – international, regional, subregional and national. The ability of developing countries, as well as countries with economies in transition, to participate fully in the development of international environmental policy and to support those countries in their efforts towards achieving the environmental objectives of sustainable development, and to undertake the requisite implementation of international agreements at the national level, must be strengthened. The need to strengthen the capacity and capability of developing countries, as well as those with economies in transition, remains a major requirement for sustainable development and in particular on issues related to poverty eradication. Such efforts must include all relevant partners and emphasize in particular capacity-building and training, as well as national-level coordination, under leadership of national governments and according to national priorities, of the environmental component of sustainable development. To this end, effective and time-bound measures will be required at international, regional and national levels. In this regard the strengthening of national institutions, including the ministries of environment, in developing countries is an important aspect. Arrangements for the access to, and transfer of, environmentally sound technologies to developing countries should be established and facilitated as they are very important for achieving sustainable development. For progress in this field, steps should be taken expeditiously for the transfer of publicly owned technology.

32. International environmental governance should also cover and support regional and subregional efforts. UNEP, in cooperation with relevant regional and subregional organizations could provide support to the strengthening of regional environmental governance to improve coordination, implementation, capacity-building and technology transfer in support of regional initiatives. The New Partnership for Africa's Development (NEPAD) initiative should be supported as the framework for sustainable development in Africa.

33. In its resolution 53/242, the General Assembly stressed the need to ensure that capacity-building and technical assistance, in particular with respect to institutional strengthening in developing countries, remained an important component of the work of UNEP. This should build on the ongoing capacity-building needs assessment being carried out by GEF through its implementing agencies, including UNEP. A strengthened programme of capacity-building should be clearly defined in the work of UNEP, building on its demonstrated comparative advantage and in the context of pursuing the ongoing strategic

partnership with GEF, respecting its governance structure and in close cooperation with the United Nations organizations and other international organizations active in the area of the environment.

34. In this regard, an intergovernmental strategic plan for technology support and capacity-building to developing countries should be developed to improve the effectiveness of capacity-building, and to address the gaps identified by assessments of existing activities and needs, including the ongoing GEF inventory, subject to the availability of funds other than the Environment Fund, taking into account that additional resources need to be made available for this purpose. Such a strategic plan could be implemented through enhanced coordination between UNEP and other relevant bodies, including GEF and UNDP. It could include an increased role for UNEP in country-level capacity delivery in particular through greater collaboration with UNDP. This could be built on the following two components:

(a) Capacity-building and training. The strengthening of the national institutions responsible for environment and the implementation of multilateral environmental agreements which will promote the achievement of the objectives of the environmental component of sustainable development. Efforts by UNEP, in response to requests by Governments, to develop local and national capacity in environmental issues and for dissemination of best practices and experiences will build on its role as one of the three implementing agencies of GEF as well as on the expected benefits from the multi-year UNEP/GEF strategic partnership as envisaged in the UNEP/GEF Action Plan on Complementarity;

(b) National-level coordination of the environmental component of sustainable development: In addition to the mobilization of domestic resources, developing countries require access to financial, technological and technical resources from the international community, as well as better internal coordination to implement sustainable development strategies. Efforts for environmental improvement at all levels and the implementation of multilateral environmental agreements must converge for countries to achieve their national priorities and objectives. Countries are encouraged to promote the coordination of the multiple national frameworks that currently exist in the field of environment at the ministerial level.

35. The strategic partnership between UNEP and GEF should be based on the decisions of their respective governing bodies and involve strengthening the capacity of UNEP to fulfil its role as provided for in the UNEP/GEF Action Plan on Complementarity. UNEP's strength as one of the three GEF implementing agencies should be fostered. It should also take into account the special relationship with UNDP, building on its unique national field capacity, which can contribute to these efforts and also facilitate the mobilization of additional resources with positive results for the environment at both national and global levels.

E. Enhanced coordination across the United Nations system - the role of the Environmental Management Group

36. Considerable emphasis has been placed on enhancing coordination within the United Nations system and the role of the Environmental Management Group in this regard. The Environmental Management Group was established following the adoption of General Assembly resolution 53/242, and includes amongst its members the specialized agencies, funds and programmes of the United Nations system and the secretariats of multilateral environmental agreements. It follows an issue-management approach whereby issue-management groups are established within the organizations concerned in order to address specific issues identified by the Environmental Management Group within an established time frame. Issue-management groups may include institutions from outside the United Nations in their work. Issues selected so far have included the harmonization of biodiversity-related reporting, the development of a system-wide approach to environmental education and training, waste management and chemicals. The Environmental Management Group has only met a few times and it is therefore too early to make an assessment of its functioning. It is clear, however, that there is a need to ensure that the functionality of the Environmental Management Group as envisaged by resolution 53/242 should be realized as soon as possible. It is also clear that:

(a) For the Governing Council/Global Ministerial Environment Forum to effectively play its policy role, it requires an instrument at the inter-agency level to enhance policy coordination across the environmental activities of the United Nations system. The Environmental Management Group is such an instrument and should be charged with reporting annually to the Forum, taking into account the provisions of General Assembly resolution 54/217, as well as on specific issues arising from the work of the United

Nations system in the environmental area on which the Forum could make recommendations on the work of the Environment Management Group;

(b) The Environmental Management Group also provides potential for bringing the environment into the mainstream of relevant activities of the United Nations system. UNEP should join the United Nations Development Group, which brings together the operational agencies of the United Nations in the economic and social fields;

(c) The technical capacities of the specialized agencies and organizations participating in the Environmental Management Group could also be used to support the implementation of a strategic partnership between UNEP and other relevant bodies, including UNDP and GEF, inter alia, for capacity-building.

37. The efficient functioning of the Environmental Management Group requires a clear relation with intergovernmental processes which includes a clearly defined reporting relationship with the Governing Council/Global Ministerial Environment Forum, the Commission on Sustainable Development, and other forums in the United Nations system. It will also require senior-level participation by member institutions, transparency in operations, adequate resources to support its functioning and the possibility of financial support for specific activities, including a coordinated approach to capacity-building.

F. Future perspective

38. The present report takes as its foundation the debate within the international environmental governance process and the recommendations deal with specific weaknesses and opportunities within the current system. Some of the proposals and recommendations in the report could help build incrementally not only towards meeting the needs identified, but also towards the renewed efforts required to be undertaken by all countries pursuant to the internationally agreed development goals, including those contained in the Millennium Declaration. Our efforts are not only underpinned by a sense of protection of the global environment, but by the clear framework set in Malmö in May 2000. The Malmö Ministerial Declaration states that the World Summit on Sustainable Development "should review the requirements for a greatly strengthened institutional structure for international environment governance based on an assessment of future needs for an institutional architecture that has the capacity to effectively address wide-ranging environmental threats in a globalizing world".

39. We must therefore not only ensure a solid foundation on which to build, but also begin to shape a vision for the future of a robust, versatile regime that will allow us to respond quickly and effectively to emerging environmental challenges. In this context it has been recognized that the implementation of Agenda 21, requires improved international governance in all dimensions of sustainable development as a prerequisite for achieving successful protection of the environment, economic growth and social equity. The 2002 Johannesburg Summit will have to address this crucial issue, and our input will be of significant value in the forthcoming debate. The mandate of UNEP, re-enforced at the 1992 Earth Summit in Rio, has placed it in a unique position to provide not only policy guidance and coordination in the field of the environment, but also to promote international cooperation in this field, while taking into account development perspectives. By improving and strengthening international environmental governance the decisions taken at the seventh special session of the Governing Council/Global Ministerial Environment Forum on 15 February 2002 should be considered as the commencement of a longer-term enterprise to develop international understanding, commitment and resolve towards ensuring the sustainability of the global environment in accordance with the Rio principles, including the principle of common but differentiated responsibilities.